IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 1033/2006
(Smt. Rajiya Bano Vs. Mohd. Khajir Kadri)

Date of Order : 12/12/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Anuj Sahlot for the petitioner.
Mr. Deepak Menaria for the non-petitioner.

BY THE COURT:-

Learned counsel for the non-petitioner submits that the order impugned is revisable.

It appears that the family court decided the application filed by the petitioner under Section 125 Cr.P.C. and granted monthly allowance of maintenance @ Rs. 1000/- in favour of the petitioner and against the non-petitioner from the date of order. The order impugned granting monthly allowance of maintenance is a final order and therefore, it is revisable and as such an alternative remedy of revision is available. Without exhausting the remedy of revision, the instant criminal misc. petition under Section 482 Cr.P.C. is not maintainable.

The petition is therefore, dismissed. However, it is open for the petitioner to file a revision against the order impugned if so advised.

(H.R.PANWAR),J.

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